



Entered on Docket  
August 24, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169-5996  
Facsimile (702) 949-8321  
Telephone (702) 949-8320

Robert M. Charles, Jr. NV State Bar No. 006593  
Email: rcharles@lrlaw.com  
John Hinderaker AZ State Bar No. 018024  
Email: jhinderaker@lrlaw.com  
*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

**Order Granting Amended Motion to  
Allow De Minimis Claims**

**Hearing Date: July 26, 2011  
Hearing Time: 1:30 p.m.**

The USACM Liquidating Trust's Amended Motion to Allow De Minimis Claims [DE 8585] (the "Motion"), came before the Court for consideration on July 26, 2011.

The Court being fully informed, adequate notice having been given, no objections have been filed, and good cause appearing, it is

**ORDERED:**

1. Granting the Motion; and
2. Deeming allowed as unsecured non-priority claims, the claims associated with the following loans in the amounts as indicated on **Exhibit A** attached.

	<i>Loan</i>	<i>\$ Amount of Claims</i>
1		
2		
3	Fiesta Inland 1.3	\$6,923
4	Lady Luck	14,615
5	Aware TM-Parris/\$500,000,000	15,000
6	Palm Coast Blue Water	25,000
7	PerUSA, LLC	39,009
8	Tanamera Resort Condominiums, LLC	82,000
9	Bundy Canyon \$8.9	100,000
10	Rio Bravo \$4.5M	100,000
11	Rio Bravo 2nd \$2.3M	118,050
12	Southern California Land 2 <sup>nd</sup>	330,367
13	HFA-Clear Lake 2 <sup>nd</sup> (HFAH Clear L)	450,000

14 PREPARED AND SUBMITTED:

15 **LEWIS AND ROCA LLP**

16 By: /s/ Robert M. Charles, Jr. (#6593)  
 17 Robert M. Charles, Jr.  
 18 John Hinderaker (*pro hac vice*)  
 19 Attorneys for USACM Liquidating Trust

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ This Court has waived the requirement set forth in LR 9021(b)(1).

☒ No party appeared at the hearing or filed an objection to the motion.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

Submitted by:

LEWIS AND ROCA LLP

By: /s/ Robert M. Charles, Jr (#6593).

Attorneys for USACM Liquidating Trust

###

**USACM Trust  
De Minimus Claims  
Single Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Total Claim Amount Relating to the Subject Loan</b>	<b>Loan name on Which Claim is Based</b>
10725-01101	11/8/2006	Averett, George Michael & Claire H	760 Little Sweden Rd Heber City, UT 84032-3503	50,000.00	50,000.00	Southern California Land 2nd
10725-02410	1/18/2007	Beckman, Gary	6756 Quinella Dr Las Vegas, NV 89103-4356	50,000.00	50,000.00	Tanamera Resort Condominiums, LLC
10725-01309	11/13/2006	Fetterly, Lynn L IRA	Po Box 5986 Incline Village, NV 89450	39,009.00	39,009.00	PerUSA
10725-00135	8/11/2006	Fraser Atwater Properties, LLC	Edward Fraser 14220 Sorrel Ln Reno, NV 89511	25,000.00	25,000.00	HFA Clear Lake, LLC 2nd
10725-00300	9/29/2006	Geller, Robert	1849 Cherry Knolls St Henderson, NV 89052	25,000.00	25,000.00	Palm Coast Blue Water
10725-01071	11/7/2006	O'Sullivan, Patrick Edward & Soon Young	7328 Gentle Valley St Las Vegas, NV 89149-1616	25,000.00	25,000.00	HFA Clear Lake, LLC 2nd
10725-00147	8/15/2006	Ohms, Sandra & Paul	Joshua D Brysk Law Offices Of James G Schwartz 7901 Stoneridge Dr, Suite 401 Pleasanton, CA 94583	30,250.00	30,250.00	Rio Bravo 2nd \$3.2 Loan
10725-00313	10/4/2006	Schorr, Marc	Po Box 15107 Las Vegas, NV 89114	100,000.00	100,000.00	Bundy Canyon \$8,900,000
10725-00396	10/2/2006	Walls Family Trust Dtd 12/10/97	C/O Joseph P & Ellen Walls Ttees 2778 Bedford Way Carson City, NV 89703-4618	100,000.00	100,000.00	Rio Bravo \$4.5
10725-01374	11/13/2006	Walther, Stephen G & Sonja	7990 Castle Pines Las Vegas, NV 89113	25,000.00	25,000.00	Southern California Land 2nd
10725-01010	10/27/2006	Yonai Trustee, Gregory D	1982 Country Cove Ct Las Vegas, NV 89135-1552	37,800.00	37,800.00	Rio Bravo 2nd \$3.2 Loan

**EXHIBIT A**

2411723.1

**USACM Trust  
De Minimus Claims  
Multiple Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Total Claim Amount Relating to the Subject Loan</b>	<b>Loan Name on Which Claim is Based</b>
10725-01227	11/9/2006	Brauer, Nancy	2222 Albion St Denver, CO 80207	75,000.00	25,000.00	HFA Clear Lake, LLC 2nd
10726-00010	5/30/2006	Cronk, Arlene	C/O Michael Lehnrs, Esq. 429 Marsh Ave Reno, NV 89509	272,206.96	32,000.00	Tanamera Resort Condominiums, LLC
10725-01884	1/8/2007	Fallon, Thomas	Usaid Thailand Apo Ap 96546	216,214.60	25,367.04	Southern California Land 2nd
10725-01156	11/9/2006	Florence Bolatin Living Trust Dtd 10/28/93	C/O Florence Bolatin Ttee #1 Jefferson Ferry Drive Apt 7171 South Setauket, NY 11720	110,712.00	6,923.08	Fiesta-Inland Empire \$1,300,000
10725-01156	11/9/2006	Florence Bolatin Living Trust Dtd 10/28/93	C/O Florence Bolatin Ttee #1 Jefferson Ferry Drive Apt 7171 South Setauket, NY 11720	110,712.00	14,615.38	Lady Luck Hotel & Casino \$8,775,000
10725-01156	11/9/2006	Florence Bolatin Living Trust Dtd 10/28/93	C/O Florence Bolatin Ttee #1 Jefferson Ferry Drive Apt 7171 South Setauket, NY 11720	110,712.00	15,000.00	Aware TM-Parris/ \$500,000,000
10725-00146	8/15/2006	Maheshwari, Rabinder & Usha	Joshua D Brysk Law Offices Of James G Schwartz 7901 Stoneridge Dr Pleasanton, CA 94583	153,831.94	100,000.00	HFA Clear Lake, LLC 2nd
10725-00608	10/16/2006	Murray, Lamoine	4934 Larkspur Ln Ogden, UT 84403-4426	178,867.00	Unknown	Tanamera Resort Condominiums, LLC
10725-00443	10/5/2006	Murray, Lamoine & Lois H	4934 Larkspur Ln Ogden, UT 84403-4426	178,867.00	Unknown	Tanamera Resort Condominiums, LLC
10725-00844	11/13/2006	Premiere Holdings Inc Defined Benefit	10120 W. Flamingo, Suite 4-12 Las Vegas, NV 89147	380,000.00	50,000.00	Southern California Land 2nd
10725-01277	11/10/2006	Premiere Holdings Inc Defined Benefit Pen Plan & Trust	10120 W. Flamingo, Suite 4-12 Las Vegas, NV 89147	380,000.00	50,000.00	Southern California Land 2nd
10725-02088	1/11/2007	Robert W Ulm Living Trust Dtd 4/11/05	Robert W Ulm Ttee 414 Morning Glory Rd St Marys, GA 31558	1,376,330.00	25,000.00	HFA Clear Lake, LLC 2nd

**EXHIBIT A**

2411731.1

**USACM Trust**  
**De Minimus Claims**  
**Multiple Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Total Claim Amount Relating to the Subject Loan</b>	<b>Loan Name on Which Claim is Based</b>
10725-00144	8/15/2006	Roloff, Rodney L & Sharyn	Law Offices Of James G Schwartz 7901 Stoneridge Drive Suite 401 Pleasanton, CA 94583	171,250.00	50,000.00	Rio Bravo 2nd \$3.2 Loan
10725-00275	9/27/2006	Sailon, David & Joan	2436 Cliffwood Dr Henderson, NV 89074	Unknown	Unknown	HFA Clear Lake, LLC 2nd
10725-02428	1/12/2007	Tiki Investment Enterprises LP	2578 Highmore Ave Henderson, NV 89052	2,400,256.00	250,000.00	HFA Clear Lake, LLC 2nd
10725-02485	6/4/2007	Troy Allen Cox	6483 Rosemount Ave Las Vegas, NV 89156-5962	81,363.74	80,000.00	Southern California Land 2nd
10725-02180	1/12/2007	Wisch, Craig	210 Andrew Ave Naugatuck, CT 06770	317,369.28	50,000.00	Southern California Land 2nd

**EXHIBIT A**

2411731.1